



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/484,865	01/18/2000	Fred Albert Dykins	1015-011	1215

22898 7590 10/04/2005

THE LAW OFFICES OF MIKIO ISHIMARU
1110 SUNNYVALE-SARATOGA ROAD
SUITE A1
SUNNYVALE, CA 94087

EXAMINER

TANG, KENNETH

ART UNIT PAPER NUMBER

2195

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/484,865

Applicant(s)

DYKINS ET AL.

Examiner

Kenneth Tang

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-16 and 19-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-16, 19-26, 28, 29, 33, 37, 38, 40, 41, 45, 49 and 50 is/are rejected.
- 7) ☒ Claim(s) 27, 30-32, 34-36, 39, 42-44 and 46-48 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This final action is in response to the Appeal Brief filed on 7/19/05. Applicant's arguments have been fully considered and were found to be persuasive and prosecution is reopened based on the new grounds of rejections.
2. Claims 1-4, 7-16, and 19-50 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-25, 30-32, and 42-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a. In claim 1, "the microdevices" (line 2) lacks antecedent basis. The Examiner recommends deleting "the".
 - b. In claim 1, "providing processing system setup and shutdown parameters" (line 15) and "providing processing system process-specific parameters" (line 16) are indefinite because in lines 17-18 and 19-20, these limitations seem to be redundant. It is unclear whether the processing of these parameters is done twice, for example. The Examiner recommends simply deleting the terms "providing processing system setup and shutdown parameters" (line 15) and "providing processing system process-specific parameters" (line 16).

c. In claim 13, similarly to claim 1, “the programmable microdevices” (line 4) lacks antecedent basis. The Examiner recommends deleting “the”.

d. In claim 13, similarly to claim 1, “providing processing system setup and shutdown parameters” (line 15) and “providing processing system process-specific parameters” (line 16) are indefinite because in lines 17-18 and 19-20, these limitations seem to be redundant. It is unclear whether the processing of these parameters is done twice, for example. The Examiner recommends simply deleting the terms “providing processing system setup and shutdown parameters” (line 15) and “providing processing system process-specific parameters” (line 16).

e. In claim 30, similarly to claim 1, “providing processing system setup and shutdown parameters” (line 2) and “providing processing system process-specific parameters” (line 3) are indefinite because in lines 4-5 and 6-7, these limitations seem to be redundant. It is unclear whether the processing of these parameters is done twice, for example. The Examiner recommends simply deleting the terms “providing processing system setup and shutdown parameters” (line 2) and “providing processing system process-specific parameters” (line 3).

f. In claim 42, similarly to claim 1, “providing processing system setup and shutdown parameters” (line 2) and “providing processing system process-specific parameters” (line 3) are indefinite because in lines 4-5 and 6-7, these limitations seem to be redundant. It is unclear whether the processing of these parameters is done twice, for example. The Examiner recommends simply deleting the terms “providing processing

system setup and shutdown parameters” (line 2) and “providing processing system process-specific parameters” (line 3).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 26, 28, 38, 40, and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Willis, Jr. et al. (hereinafter Willis) (US 6,738,815 B1).

5. As to claim 26, Willis teaches a method for processing microdevices (a processor or a kit, etc.) (*col. 4, lines 66, col. 13, line 61*) comprising:

providing a computer system (PC 14) having processing information related to the microdevices as a task (a processor or a kit, etc.) (*col. 4, lines 66, col. 13, line 61*);

providing a legacy processing system (*col. 5, line 66*);

providing a non-legacy processing system (*col. 6, lines 4-5*);

providing the task from the computer system to the legacy processing system with constant interaction therebetween (through mobile/wireless communication) (*col. 5, lines 39-46 and 64-66*);

providing the task from the computer system to the non-legacy processing system for performing the task by the non-legacy processing system independent of the computer system (*col. 5, lines 66-67*);

developing return non-legacy information resulting from the non-legacy processing system using the task (returning results back to PC14 can be done by both legacy and non-legacy systems) (*col. 5, lines 55-67 through col. 6, lines 1-5*); and

returning the return non-legacy information to the computer system (returning results back to PC14 can be done by both legacy and non-legacy systems) (*col. 5, lines 55-67 through col. 6, lines 1-5*).

6. As to claim 28, it is rejected for the same reasons as stated in the rejection of claim 26. In addition, the operator mode is where the user uses the system.

7. As to claim 38, it is rejected for the same reasons as stated in the rejection of claim 26. In addition, Willis teaches the system being applicable to a programmer/feeder system (manufacturing plant facility systems) (*col. 1, lines 64-67 through col. 2, lines 1-5*).

8. As to claim 40, it is rejected for the same reasons as stated in the rejection of claim 28.

9. As to claim 50, Willis teaches providing information for affecting changes selected from a group consisting of software, firmware, and a combination thereof by using the portable memory medium (memory, ROM, CDROM, etc.) (*col. 14, line 15, Fig. 4*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 29, 37, 41, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis, Jr. et al. (hereinafter Willis) (US 6,738,815 B1) in view of McNabb et al. (hereinafter McNabb) (US 6,289,462 B1).

11. As to claims 29, 37, 41, and 49, Willis fails to explicitly teach an administrator mode and protecting provision of the operator mode using a password input in the administrator mode. However, McNabb teaches an administrative mode with a password input (col. 12, lines 29-32, col. 15, lines 55-58). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Willis and McNabb because it would permit a highly secure method of managing content on the computer system (*col. 12, lines 31-32*).

12. Claims 33 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis, Jr. et al. (hereinafter Willis) (US 6,738,815 B1) in view of Kenik et al. (hereinafter Kenik) (US 4,821,197).

Art Unit: 2195

13. As to claims 33 and 45, Willis teaches having kits and datakits (*col. 13, line 61, Fig. 18*) but fails to explicitly teach combining a plurality of tasks to define a kit and performing the processing of a kit through the off-line connection. However, Kenik teaches using kits to perform off-line subassemblies (*col. 5, lines 33-44*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of combining a plurality of tasks to define a kit and performing the processing of a kit through the off-line connection because this allows for tracking, updating and maintaining inventory (*col. 5, lines 33-44*).

Allowable Subject Matter

14. Claims 1-4, 7-16, and 19-25 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

15. Claims 27, 30-32, 34-36, 39, 42-44, and 46-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

16. Applicant's arguments have been fully considered but are now moot in view of the new grounds of rejections.

Art Unit: 2195


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (571) 272-3772. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kt
9/29/05


MENG-AI T. AN
SUPERVISORY PATENT EXAMINER
TECHNICAL CENTER